

February 11, 2015 Email Collins to Rep. Olson

Thomas Collins

From: Thomas Collins
Sent: Thursday, February 11, 2016 4:12 PM
To: 'jolson@azleg.gov'; 'jackerley@azleg.gov'
Subject: HCR2035- Clean Elections rulemaking

Dear Representatives:

Today, Scott Mussi of the Arizona Free Enterprise Club testified in favor of HCR 2035 in front of you at the House Government and Higher Education Committee.

His testimony regarding the Commission's rule amendment proceedings in 2015 was misleading.

However, because of the time constraints, there would have been no opportunity to me to rebut these inaccurate statements.

This email addresses Mr. Mussi's testimony.

The Commission's rulemaking process is public

Neither Mr. Mussi nor Free Enterprise filed any comments or made any public comments in the more than 160 days the Commission's took comments last year.

Indeed, the Commission's attendance records show no evidence Mr. Mussi was in attendance at any Commission meeting that was held during that time.

More than 100 other individuals and interest groups made comments in writing or orally at a commission meeting.

Indeed, the Commission's rulemaking was subject to front page coverage in the Arizona Republic.

It is no exaggeration to say that it is likely no agency has provided for more public input, nor received more attention, in rulemaking proceedings in the history of the state.

The Commission adopts rule amendments lawfully and consistently with best practices.

Mr. Mussi falsely asserts that the Commission made changes in the rules amendments in a manner not permitted by the statutes from which the Commission is exempted.

This is a not true.

The Commission recirculated the rules for more than 60 days as per statute and the few alterations made subsequently were not substantially different, precisely the same flexibility permitted under the rulemaking process Mr. Mussi insists is necessary.

The Commission is the poster child for good rulemaking proceedings.

What Mr. Mussi does not like is the outcome.

But that is determined by the statute that the voters passed, the Clean Elections Act.

Sincerely,

Thomas M. Collins
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